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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	NO. 4-20-70327 MAG
)	
Plaintiff,)	STIPULATION AND [PROPOSED] ORDER TO
)	CONTINUE STATUS CONFERENCE, EXCLUDE
v.)	TIME, AND EXTEND THE DEADLINES UNDER
)	THE SPEEDY TRIAL ACT AND FED R. CRIM. P.
GABRIEL GONZALES,)	5.1
)	
Defendant.)	
)	

It is hereby stipulated by and between counsel for the United States and counsel for the defendant, Gabriel Gonzales, that the status hearing scheduled for June 25, 2020 at 10:30 a.m. be rescheduled for July 22, 2020 at 10:30 a.m. The reasons for this request are as follows: The government has produced additional discovery in the case, which defense counsel will need time to review with the defendant. The parties are also exploring a resolution of the case. Finally, the coronavirus pandemic has impeded on defense counsel's ability to meet with the defendant.

Based on the foregoing, the parties stipulate and agree that excluding time from June 25, 2020 until July 22, 2020 will allow for the effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties further stipulate and agree that the ends of justice served by excluding the time from June 25, 2020 through July 22, 2020 from computation under the Speedy Trial Act

1 outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A),
 2 (B)(iv).

3 The parties further stipulate that, with the consent of the defendant, there is good cause for
 4 extending the time limits for a preliminary hearing under Federal Rule of Criminal Procedure 5.1 and for
 5 extending the 30-day time period for an indictment under the Speedy Trial Act. *See* Fed. R. Crim. P.
 6 5.1; 18 U.S.C. § 3161(b).

7 The undersigned Assistant United States Attorney certifies that he has obtained approval from
 8 counsel for the defendant to file this stipulation and proposed order.

9 IT IS SO STIPULATED.

10 DATED: June 22, 2020

/s/

NOAH STERN

Assistant United States Attorney

12 DATED: June 22, 2020

/s/

JOYCE LEAVITT

Counsel for Defendant Gabriel Gonzales

15 [PROPOSED] ORDER

16 Based upon the facts set forth in the stipulation of the parties and for good cause shown, the
 17 Court reschedules the preliminary hearing scheduled for June 25, 2020 at 10:30 a.m. and schedules a
 18 status hearing for July 22, 2020 at 10:30 a.m. The Court further finds that failing to exclude the time
 19 from June 25, 2020 through July 22, 2020 would unreasonably deny defense counsel and the defendant
 20 the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.
 21 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the
 22 time from June 25, 2020 through July 22, 2020 from computation under the Speedy Trial Act outweigh
 23 the best interests of the public and the defendant in a speedy trial. For the same reasons, the Court finds
 24 good cause for extending the time limits for a preliminary hearing under Federal Rule of Criminal
 25 Procedure 5.1 and for extending the 30-day time period for an indictment under the Speedy Trial Act.
 26 *See* Fed. R. Crim. P. 5.1; 18 U.S.C. § 3161. Therefore, and with the consent of the parties, IT IS
 27 HEREBY ORDERED that the time from June 25, 2020 through July 22, 2020 shall be excluded from
 28 computation under the Speedy Trial Act and Federal Rule of Criminal Procedure 5.1. 18 U.S.C. §

1 3161(h)(7)(A), (B)(iv); Fed R. Crim. P. 5.1(d).

2 IT IS SO ORDERED.

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4 DATED: _____

5 HON. THOMAS S. HIXSON
6 United States Magistrate Judge
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